

May 1st, 2022

Board of Zoning Appeal
441 4th ST, NW
Washington, D.C. 20001

RE:
Special Exception at
801 20th ST NE
Washington, DC 20002

ZC 19-30 AND ANC5D CONCERNS

After reviewing ZC 19-30 and the ANC5D concerns, it has been determined that this project meets the intent of the RF-4 zone even though a special exception is being requested. A special exception is not a variance. A special exception is a conditional, permitted use in a particular zone district; that is, the use is permitted provided certain specific criteria are met to ensure that certain negative impacts will not occur.

Zone RF-4 allows the possibility of an addition extending more than the 10'-0" rule if the applicant provides proof that such relief will not cause a hardship on neighbors. Per the applicants, statement burden of proof, proposed plans, and 3D renderings this has been met. Two modifications have been made to the proposed plans.

1. The special exception is now only requesting 6' 6-1/4" further than the 10'-0" rule. A reduction of 1' 3 -3/4".
2. An additional entrance along 20th ST for unit A to compliment the character of the neighborhood.

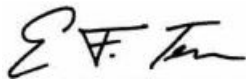
Furthermore, the project addresses the concerns of ANC5D in the ZC 19-30.

1. Lack of Front Setback
 - a. This project is meeting the front setback requirements within the RF-4 zone by maintaining the existing front face along 20th ST NE which also aligns with the adjacent homes.
2. Desire to maintain consistent appearance in the front of properties on the same block
 - a. The front façade along 20th ST NE has been redesigned to include an entrance and porch into Unit A. This modification provides a consistent appearance along 20th ST NE and breaks up the massing to lessen the scale of the third-floor addition. Additionally, the entrance along H ST NE also serves the same purpose.
3. Maintain a floor-area-ratio (FAR) of 1.8
 - a. This project FAR is 1.47. Additionally, the proposed lot occupancy is only 36.6%, well below the 60% allowed.
4. Encouraging Family-Sized, Affordable Housing.
 - a. This project provides three units. The lower two units will each provide four bedrooms and the upper unit provides two bedrooms. The District is severely lacking four-bedroom family-sized units which the two lower units will provide.

- i. Per Mayor Bowser's Comprehensive Plan Proposal and the Housing Framework for Equity and Growth, a single-family sized unit is three or more bedrooms.
 - ii. Per D.C. Mun. Regs. Tit. 10 § A505.1 units with four or more bedrooms comprise just 11 percent of the total DC units. Per the Urban Institute and CNHED this is lowered to 8.7% within homes only in ward 5.
 - iii. Per D.C. Mun. Regs. Tit. 10 § A505.4 Families with children may seek homes with three or four bedrooms, a yard, and perhaps a rental unit for added income.
 - iv. Per D.C. Mun. Regs. Tit. 10 § A505.6, Provide a larger number of housing units for families with children by encouraging new and retaining existing single-family homes, duplexes, row houses, and three- and four-bedroom apartments.
- 5. Limit the impact of new construction
 - a. This project is requesting a special exception to provide for much needed four-bedroom family-sized housing; however, the project is not building to its' by-right limitations. As shown on the East elevation, most of the building height is much lower than the 44'-0" allowed (40'-0" roof height plus 4'-0" parapet wall).
- 6. There is no mention of additions not being allowed to exceed the 10'-0" rule within the ZC 19-30 or RF-4 zone – rather, the phrase is, "diminution of rear yards"
 - a. This project is requesting an additional 6' 6-1/4" past the 10'-0" rule which provides a rear yard of 20' 3 3/4" and exceed the 20'-0" rear yard setback minimum. This special exception request will not negatively impact the size of a rear yard.

RF-4 is a newly created zone, and there will be other projects that will request a special exception. This project sets the bar high for future developments requesting a special exception of this nature. The Office of Planning has provided their support in that this project meets the criteria established for a Special Exception to be approved by the Board of Zoning Appeals. In addition, this project addresses the concerns of ANC5D, as well as the reason this zone was changed from an RA-2 to RF-4 zone.

Sincerely,



Agent

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